

REMARKS

Claims 39 to 43 have been added so that claims 1 to 43 are now pending. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Claims 1 to 4, 9 to 18 and 22 to 38 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication No. 2004/0171369 ("Little"). It is respectfully submitted that claims 1 to 4, 9 to 18 and 22 to 38 are not anticipated by Little for at least the following reasons.

Claim 1, as presented, relates to a system for transmitting data stored in at least one database and processed by a server arrangement to at least one handheld wireless device that receives data from a wireless carrier network, the system including a relay arrangement for routing the data for transmission over the wireless carrier network, and a firewall arrangement that provides security for the data, the server arrangement and the relay arrangement. Claim 1, as presented, recites that the relay arrangement is arranged behind the firewall arrangement and is configured to push the data from behind the firewall arrangement to the at least one handheld wireless device in a non-persistent manner with respect to the data being stored outside of the firewall arrangement while enroute to the wireless carrier network.

It is respectfully submitted that Little does not disclose, or even suggest, a relay arrangement that is arranged behind the firewall arrangement, and that is configured to push the data from behind the firewall arrangement to the at least one handheld wireless device in a non-persistent manner with respect to the data being stored outside of the firewall arrangement while enroute to the wireless carrier network. Instead, Little refers to a wireless connector system 878, which is configured to post updates to an external data store 882 outside the firewall 808 so as to maintain data synchronization between the external data store 882 and a data store 817 residing within the firewall. In this regard, Little states in paragraph [0137] that:

As described above, an e-mail message 833 addressed to one or more recipients having an account on the message server 820 and received by the message server 820 may be stored into the mailbox 819 of each such recipient. In the system of FIG. 8, the external data store 882 preferably has a similar structure to, and remains synchronized with, the data store 817. PIM information or data stored at data store 882 preferably is independently modifiable to the PIM information or data stored at the host system. In this

particular configuration, the independently modifiable information at the external data store 882 may maintain synchronization of a plurality of data stores associated with a user (i.e., data on a mobile device, data on a personal computer at home, data at the corporate LAN, etc.). *This synchronization may be accomplished, for example, through updates sent to the data store 882 by the wireless connector system 878* at certain time intervals, each time an entry in the data store 817 is added or changed, at certain times of the day, or when initiated at the LAN 809, by the message server 820 or a computer system 822, at the data store 882, or possibly by a mobile device 888, 890 through the access gateway.

(Emphasis added.). Moreover, with respect to e-mail data, Little states in paragraph [0138] that:

In the case of the e-mail message 833 for example, an update sent to the data store 882 some time after the e-mail message 833 is received may indicate that the message 833 has been stored in a certain mailbox 819 in the store 817, *and a copy of the e-mail message will be stored to a corresponding storage area in the data store 882.* When the e-mail message 833 has been stored in the mailboxes 819 corresponding to the mobile devices 888 and 890 for example, one or more copies of the e-mail message, indicated at 892 and 894 in FIG. 8, will be sent to and stored in corresponding storages areas or mailboxes in the data store 882. As shown, updates or copies of stored information in the data store 817 may be sent to the data store 882 via a connection to the WAN 804 or the VPN router 835. For example, the wireless connector system 878 may post updates or stored information to a resource in the data store 882 via an HTTP post request. Alternatively, a secure protocol such as HTRPS or Secure Sockets Layer (SSL) may be used. Those skilled in the art will appreciate that a single copy of a data item stored in more than one location in a data store at the LAN 809 may instead be sent to the data store 882, or a single copy may be stored in the data store 882, with a pointer or other identifier of the stored data item being stored in each corresponding location in the data store 882.

(Emphasis added). Hence, Little teaches having the data transmitted by the wireless connector system 878, including e-mails transmitted by the wireless connector system 878, persist on the external data store 882. Indeed, the disadvantages of such a method of having data persist externally outside the firewall was explicitly noted and addressed by the present invention. In this regard, the present application states, for example, that:

Other systems, such as in Figure 1, use relays that are installed in a centralized data center. The centralized data centers may be controlled by an outside party and may be located in a foreign country thus presenting the potential for security risks for the network and the data. The data center in which other systems place their common relay 140 may also be at great physical distance from the enterprise, requiring transmitted information to travel much farther that is truly required to gain access to a wireless network carrier 150, 160 and 170. This is inefficient and increases the chances of packet latency and packet

loss. In other systems, data is sent to the centralized relay 140 (see Figure 1) and resides there until the relay 140 notes that the intended recipient's handheld device has registered on the relay through the appropriate wireless carrier network. *This pending transmission (e.g., e-mail) may be stored and persist before and after delivery to a handheld device user.* The data may be held at the relay 140 for a significant period of time and the shared relay 140 is outside of the enterprise's firewall and therefore outside of the enterprise's control.

(Specification, page 8, lines 10 to 24) (emphasis added). By contrast, the presently claimed subject matter requires that the data not persist outside the firewall arrangement while enroute to the wireless carrier network. In this regard, the present application states that:

With the system according to the present invention shown in Figure 2, the relay arrangement 220 is installed within the enterprise's proprietary network infrastructure and is arranged behind the firewall 230. *With this configuration, the enterprise does not have to worry about data persisting on a shared outside relay.*

(Specification, page 8, lines 26 to 29) (emphasis added). Accordingly, for at least these reasons, Little does not anticipate claim 1, and therefore claim 1 is allowable.

Claims 2 to 4, 9, 16 to 18, 22, 31 and 36 to 38, which ultimately depend from claim 1, and claims 10, 14, 15, 24 and 26, which recite features essentially analogous to claim 1, as well as claims that depend from these claims, including claims 11, 12, 13, 20, 21, 23, 25, 27 to 30, 32 and 35, are allowable for at least the same reasons given above with respect to claim 1.

As further regards claims 25, 27, 31 and 32 it is respectfully submitted that Little does not disclose, or even suggest, a first/relay arrangement that is configured to transmit the data to a particular one of the at least one wireless device only when the particular wireless device is available to receive the data, or that the data is sent through the firewall arrangement only when the at least one wireless carrier network is in service and the at least one handheld device is available to receive the data, or that the relay arrangement is configured to store the data if the at least one wireless device is not available to receive the data, as provided for in these claims. The Office Action asserts on page 5 that paragraphs [0105] and [0106] of Little disclose these features but such paragraphs merely refer to the functions of the message server 620 with respect to PIM data, and maintaining a plurality of mailboxes 619 in one or more data stores for each user having an account on the server. Indeed, nowhere in these paragraphs is the availability of a particular wireless device

discussed, or even mentioned. It is therefore respectfully submitted that claims 25, 27, 31 and 32 are allowable for at least these further reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

Claims 5 to 8 and 19 to 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Little in view of U.S. Patent No. 6,779,039 ("Bommareddy"). It is respectfully submitted that the combination of Little and Bommareddy does not render unpatentable these claims for at least the following reasons.

Claims 5 to 8 and 19 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. Claim 20 depends from claim 10 and therefore includes all of the features recited in claim 10. Claim 21 depends from claim 14 and therefore includes all of the features recited in claim 14. As more fully set forth above, Little does not disclose, or even suggest, all of the features recited in claims 1, 10 or 14. Bommareddy is not relied upon for disclosing or suggesting the features recited in claims 1, 10 or 14, which are not disclosed or suggested by Little. Indeed, Bommareddy does not disclose, or even suggest, the features recited in claims 1, 10 or 14, which are not disclosed or suggested by Little. Accordingly, it is respectfully submitted that the combination of Little and Bommareddy does not render unpatentable claims 5 to 8 or 19 to 21.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

With respect to claims 1, 10, 15, 24 and 26 being rejected as non-enabling under the first paragraph of 35 U.S.C. § 112, the rejection is entirely misdirected. The Office Action states on page 8 that the specification does not reasonably provide enablement for "pushing the data". Yet, in this regard, the present application provides, for example, that:

The relay arrangement 220 uses the header data in routing the data packet within the system of the present invention. Also, the data packet protocol includes a payload. The payload includes the data that a developer desires to send. Furthermore, the data packet protocol is configured such that the header results in minimal overhead and still provides sufficient data to route data. This data packet protocol provides that the data in the payload is transparent to the system of the present invention and that the data arrives at its destination unmodified. The type of data, or the format of the data, does not affect the ability to transmit the data via the system according to the present invention.

Furthermore, the API and the data packet protocol may allow developers to create a single application that may be used on various "push" platforms. In turn, each application category may establish its own format for the payload of

the data packet structure. For example, all e-mail applications are in a common category and share a common payload format. Hence, the API and the data packet protocol provide that an e-mail service may be written and integrated into a specific e-mail platform. E-mails may then be sent to any supported device/network platform.

(Specification, page 13, lines 17 to 18)(emphasis added). Accordingly, in view of the above, the enablement rejection is not understood and is plainly obviated by the foregoing text of the specification. It is therefore respectfully requested that this rejection be withdrawn.

New claims 39 to 41 depend either directly or indirectly from claim 1, and are therefore allowable for at least the same reasons as claim 1. New claim 42 recites a relay arrangement arranged behind a firewall arrangement, the relay arrangement routing data directly to the wireless carrier network for transmission over the wireless carrier network to at least one wireless device, which is neither disclosed, nor suggested by Little and/or Bommareddy, and therefore claim 42 is also allowable. New claim 43, depends from claim 42, and is therefore allowable for at least the same reasons as claim 42.

The new claims do not add any new matter and are supported in the specification. In particular, support for new claims 39 to 41 is found, for example, on page 5, lines 2 to 12, page 9, lines 11 to 19, page 10, lines 27 to 30, and page 11, lines 5 to 15 of the Specification. Support for new claim 42 is found, for example, on page 14, line 19 to page 15, line 2 of the Specification. Support for new claim 43 is found, for example, on page 7, lines 25 to 27.

In sum, claims 1 to 43 are allowable.

Conclusion

In view of the foregoing, it is respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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